

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE J.P. JEANNERET ASSOCIATES, INC., et al.

Master File No. 09 Civ. 3907 (CM)

ECF Case

This Document Relates To:

09 Civ. 8278 (CM)

ERNEST A. HARTMAN and KIMBERLY A. BAUTISTA as Trustees of the IBEW LOCAL 139 PENSION FUND; JAMES F. COLLINS and KIMBERLY A. BAUTISTA as Trustees of the IBEW LOCAL 325 PENSION FUND; JAMES F. COLLINS and KIMBERLY A. BAUTISTA as Trustees of the IBEW LOCAL 325 ANNUITY FUND; JAMES F. COLLINS and KIMBERLY A. BAUTISTA as Trustees of the IBEW LOCAL 325 JOINT TRUST FUND; MICHAEL TALARSKI and KIMBERLY A. BAUTISTA as Trustees of the IBEW LOCAL 241 PENSION FUND; ELIZABETH F. CASSADA and JAMES A. WILLIAMS as Trustees of the IBEW LOCAL 910 ANNUITY FUND; ELIZABETH F. CASSADA and JAMES A. WILLIAMS as Trustees of the IBEW LOCAL 910 PENSION FUND; THOMAS R. LOSTRACCO as Trustee of the SEIU 1199 UPSTATE PENSION FUND; GEORGE KENNEDY as Trustee of the SERVICE EMPLOYEES PENSION FUND OF UPSTATE NEW YORK; RODNEY MALARCHIK and IRVING WOOD as Trustees of the UPSTATE NEW YORK BAKERY DRIVERS AND INDUSTRY PENSION FUND; JAMES ROUNDS and LYLE D. FASSETT as Trustees of the PLUMBERS AND PIPEFITTERS LOCAL 112 PENSION FUND; ROCKNE BURNS as Trustee of the ENGINEERS JOINT WELFARE FUND; CARMEN A. SERRETT and EARL R. HALL as Trustees of the LABORERS' LOCAL 103 ANNUITY FUND; CARMEN A. SERRETT as Trustee of the LABORERS' LOCAL 103 PENSION FUND; FRANK SPENCER and DALE STUHL MILLER as Trustees of the EMPIRE STATE CARPENTERS PENSION FUND; FRANK SPENCER and DALE STUHL MILLER as Trustees of the EMPIRE STATE CARPENTERS ANNUITY FUND; and FRANK SPENCER and DALE STUHL MILLER as Trustees of the EMPIRE STATE CARPENTERS WELFARE FUND,

Plaintiffs,

**DECLARATION OF AMY
WILLIAMS-DERRY IN SUPPORT OF
MOTION TO AMEND SCHEDULING
ORDER**

v.

IVY ASSET MANAGEMENT L.L.C.; BANK OF NEW YORK MELLON CORPORATION; J.P. JEANNERET ASSOCIATES, INC.; INCOME-PLUS INVESTMENT FUND; JOHN P. JEANNERET; PAUL PERRY; LAWRENCE SIMON; HOWARD WOHL; ADAM GEIGER; JEFFREY LINDENBAUM; JOHN ROGERS; SEAN SIMON; KEVIN BANNON; STEVEN PISARKIEWICZ; ROBERT MESCHI; SUSAN RABINOWITZ; MICHAEL SINGER; ALAN CHUANG; GREGORY VAN INWEGEN; SEAN CUMISKEY; STUART DAVIES; PETER ROSE; JOSEPH BURNS; MARK SANTERO; PETER NORIS; FARZINE HACHEMIAN; COLLEEN BALDWIN; GLENN CUMMINS; IVY MANAGER APPROVAL COMMITTEE; IVY INVESTMENT COMMITTEE; IVY STRATEGIC OPERATING COMMITTEE; FRANK BIONDI, JR.; NICHOLAS DONOFRIO; EDMUND KELLY; MICHAEL KOWALSKI; JOHN LUKE, JR.; PAUL MYNERS; MARK NORDENBERG; CATHERINE REIN; WILLIAM RICHARDSON; BRIAN ROBERTS; SAMUEL SCOTT, III; RICHARD VAUGHAN; WESLEY VON SCHACK; and BANK OF NEW YORK MELLON CORPORATION RISK COMMITTEE,

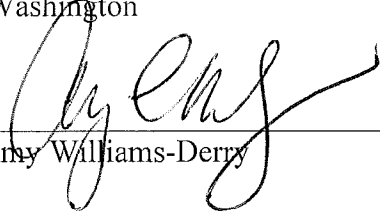
Defendants.

I, AMY WILLIAMS-DERRY, declare the following pursuant to 28 U.S.C. § 1746:

1. I am a partner at the law firm of Keller Rohrback L.L.P., attorneys for Plaintiffs in the *Ernest A. Hartman, et. al. v. Ivy Asset Management L.L.C., et al.* litigation. I make this declaration in support of Plaintiffs' Motion to Amend Scheduling Order.
2. Attached hereto as Exhibit A is a true and correct copy of the Complaint dated November 16, 2009, as filed in *J. P. Jeanneret Associates, Inc. v. Mantello, et al.*, 09-1280-DNH (N.D.N.Y.).
3. Attached hereto as Exhibit B is a true and correct copy of a letter from the Ivy Defendants to the Court dated January 11, 2010, without attachments.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed this 23rd day of July, 2010 in Seattle, Washington



Amy Williams-Derry